IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

Bail Appl..No. 4943 of 2007(S)

AGAINST THE ORDER IN CMP 2939 2007 IN
CMP.2938/2007 of J.M.F.C.-I, PUNALUR
CRIME NO.225 OF 1999 OF KULATHUPUZHA POLICE STATION

.....

: PETITIONER/ACCUSED NO.4

SHAMEER,
S/O. SALIM,SHAMEENA MANZIL,
NEAR FOREST DEPOT, KULATHUPUZHA MURI,
MULATHUPUZHA VILLAGE.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: STATE/

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA,ERNAKULAM.
(CRIME NO. 225 OF 1999 OF KULATHUPUZHA
POLICE STATION)

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No. 4943 of 2007

Dated this the 14th day of August, 2007

ORDER

Application for regular bail. The petitioner is the 4th accused. He faces allegations under Section 379 I.P.C. Altogether there are 4 accused. Two of them have already faced trial and they have been found not guilty and acquitted. The petitioner was not available for trial, he having gone abroad. The case against the petitioner has been split up. Coercive processes were issued by the learned Magistrate.

2. According to the petitioner, he had surrendered before the learned Magistrate and sought regular bail. His application for regular bail was dismissed by the learned Magistrate. Consequently he continues in custody from 30.07.07. The petitioner has no history of criminal antecedents, submits the learned Public Prosecutor .

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject of course to appropriate conditions which shall ensure his presence before the learned Magistrate for trial.

4. In the result, this application is allowed. The petitioner

shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall surrender his passport if any before the learned Magistrate. If he has no passport, an affidavit to that effect shall be filed by the petitioner;

iii) The petitioner shall report before the S.H.O, Kulathupuzha Police Station on the first Sundays of all English Calendar Months until the case against him is finally disposed of.

(R.BASANT, JUDGE)

rtr/-